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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/690,795	10/22/2003	Darren Kady	KADY-0001-CP3	5615
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JAGTIANI + GUTTAG 10363-A DEMOCRACY LANE FAIRFAX, VA 22030			EXAMINER BROWN, VERNAL U	
			ART UNIT 2635	PAPER NUMBER

DATE MAILED: 08/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/690,795

Applicant(s)

KADY ET AL.

Examiner

Vernal U. Brown

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

The application of Darren Kady for Locking Device for Electronic Equipment filed 10/22/2003 has been examined. Claims 1-33 are pending.

Claim Objections

Claims 28-33 are objected to because of the following informalities: Claim 28 uses the term 'can be'. The phrase 'can be' is not a positive recitation of the claimed limitation. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-12 and 25, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 1-12, Step g in claim 1 is confusing, it is not understood how the system can be shut down a number of times without showing that the system is reactivated after the initial shut down when the password is not verified.

Regarding claim 25, it is not clear to the examiner what is meant by "indicator of claim is visible".

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 28 and 30-32 rejected under 35 U.S.C. 102(e) as being anticipated by Casement et al. US Patent 5969748.

Regarding claims 28 and 32, Casement et al. teaches a control system having at least two electronic devices (figure 1) and each of the electronic device is in communication with each other (the cable box is in communication with the TV, col. 2 line 65-col. 3 line 3),

at least one user access code (col. 3 lines 40-43),

an activation/deactivation member including activation time period (col. 4 lines 61-65),

at least one programmable feature (col. 4 lines 61-65),

user programmable feature selection member evidenced by the control menu 54,

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input means for entering access code, programmable feature selection, and programmable feature selection (col. 3 lines 50-65). Casement et al. teaches a process flow chart (figure 4) for controlling the operation of receiving the input and implementing the programmable features. The performing of the programming function inherently includes an internal controller. Casement et al. further teaches master program (TV schedule information) store on the TV and programming instruction for recording a schedule program is communicated to the VCR (col. 3 lines 25-31).

Regarding claim 30, Casement et al. teaches the communication means is hard wired (col. 3 lines 1-2).

Regarding claim 31, Casement et al. teaches the programmable period is based completion of a unit define by the duration of the television program (col. 3 lines 24-25).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3-7, 12, 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang US Patent 6298447 in view of Miller et al. US Patent 5550968.

Regarding claim 1, Wang teaches monitoring power to a device by detecting when the device is shut down (col. 4 lines 13-18). Wang teaches a password is required to power up and

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reactivates the computer (col. 4 lines 25-34). Wang also teaches the computer remained in a power down state until a correct password is entered (col. 4 lines 42-45). The setting and resetting of the disconnect register is the functional equivalent to the signal SW whose logic state is used to indicate the power state of the computer (col. 5 lines 25-29). Wang is however silent on teaching if the password is not verified the system is shut down totally. The examiner interpret totally shutting down the system as preventing the user from making any other password entry after entering a password for a predetermined number of times in addition to maintaining the system in a power down state. Miller et al. in an art related access control system teaches shutting down a system when the password is not verified after entering a password for a predetermined number of times (col. 9 lines 24-32) in order to secure the system from an unauthorized person.

It would have been obvious to one of ordinary skill in the art to shut down the system if the password is not verified in Wang as evidenced by Miller et al. because Wang teaches a computer that remains in the power down state until the password is verified and Miller et al. shutting down a system by ending the user interaction with the system when the password is entered incorrectly for a predetermined number of times.

Regarding claims 3-4, Wang teaches the computer uses AC and DC power (col. 1 lines 20-25).

Regarding claims 5-7 and 16-18, Wang teaches the security controller 40 detect the depress mouse button (col. 4 lines 25-26), the security module 40 is therefore considered a sensor and the sensor detect the loss of power (col. 4 lines 4 lines 38-45).

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Regarding claim 12, Wang teaches detecting the password in the form of detecting the predetermined sequence of the buttons pushed on the mouse (col. 4 lines 5-12). Detecting the password in the form of detecting the predetermined sequence of the buttons pushed on the mouse is considered a programmed feature (col. 1 lines 54-56) and it remained programmed after the loss of power (col. 4 lines 13-16).

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wang US Patent 6298447 in view of Miller et al. US Patent 5550968 and further in view of Watters et al. US Patent 4959860.

Regarding claim 2, Wang in view of Miller et al. teaches the use of a password in order to grant access to a computer system (see response to claim 1) but is silent on teaching the password is user programmable. Watters et al. in an art related password protected computer teaches the password is user programmable (col. 7 lines 47-50) in order to provide a more user friendly password.

It would have been obvious to one of ordinary skill in the art for the password to be user programmable in Wang in view of Miller et al., as evidenced by Watters et al. because Wang in view of Miller et al. suggests the use of a password in order to grant access to a computer system and Watters et al. teaches the password is user programmable in order to provide a more user friendly password.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wang US Patent 6298447 in view of Miller et al. US Patent 5550968 and further in view of Lent US Patent 4284983.

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Regarding claim 8, Wang in view of Miller et al. teaches detecting when the power to a device is turned off (col. 4 lines 13-18) but is silent on teaching a motion detector for detecting the movement of a device and setting the disconnect register. Lent in an art related appliance theft detection circuitry teaches a motion detector for detecting when a device is moved and also having monitoring means for detecting when the device is not connected to the power supply (col. 5 lines 35-46) in order to protect the appliance from theft and unauthorized movement.

It would have been obvious to one of ordinary skill in the art to have a motion detector for detecting the movement of a device and setting the disconnect register in Wang in view of Miller et al. as evidenced by Lent because Wang in view of Miller et al. suggests detecting when the power to a device is turned off and Lent teaches a motion detector for detecting when a device is moved and also having monitoring means for detecting when the device is not connected to the power supply in order to protect the appliance from theft and unauthorized movement.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wang US Patent 6298447 in view of Miller et al. US Patent 5550968 in view of Lent US Patent 4284983. and further in view of Reid US Patent 4987406.

Regarding claim 9, Wang in view of Miller et al. teaches detecting when the power to a device is turned off and Lent teaches activating an alarm when the device is moved and the power is turned off (col. 3 lines 6-10) but is silent on teaching the system is shut down when the alarm is activated. Reid in an art related security system for an appliance teaches an appliance is shut down and becomes inoperable when an alarm is activated for indicating that an appliance is moved (col. 2 lines 29-34) in order to protect the device from theft.

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It would have been obvious to one of ordinary skill in the art to shut the system down when the alarm is activated in Wang in view of Miller et al. in view of Lent as evidenced by Reid because Wang in view of Miller et al. in view of Lent suggests detecting when the device is move and the alarm is activated and Reid teaches an appliance is shut down and becomes inoperable when an alarm is activated for indicating that an appliance is moved in order to protect the device from theft.

Claim 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang US Patent 6298447 in view of Miller et al. US Patent 5550968 in view of Lent US Patent 4284983 in view of Reid US Patent 4987406 and further in view of Owens US Patent 6523374.

Regarding claims 10-11, Wang in view of Miller et al. in view of Lent in view Reid teaches a security system for monitoring a device (see response to claim 9) but is silent on teaching the device monitoring system is connected to the household alarm system. Owens in an art related safety device invention teaches a security system for monitoring a device connected to the household alarm system (col. 4 lines 7-11) in order to provide alarm indication to a remote location such as a police station. The use of separation between transceivers to generate an alarm signal is also indicated by Reid (col. 2 lines 14-34) in order to detect when a monitored device is moved out of a particular zone.

It would have been obvious to one of ordinary skill in the art for the device monitoring system to be connected to the home security system in Wang in view of Miller et al. in view of Lent in view Reid as evidenced by Owens because Wang in view of Miller et al. in view of Lent in view Reid suggests security system for monitoring a device and Owens teaches a security

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system for monitoring a device connected to the household alarm system in order to provide alarm indication to a remote location such as a police station.

Claims 13-15 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang US Patent 6298447 in view of Shimura et al. US Patent 6295569 and further in view of Miller et al. US Patent 5550968.

Regarding claim 13, Wang teaches monitoring power to a device by detecting when the device is shut down (col. 4 lines 13-18). Wang teaches a password is required to power up and reactivates the computer (col. 4 lines 25-34). Wang also teaches the computer remained in a power down state until a correct password is entered (col. 4 lines 42-45). The setting and resetting of the disconnect register is the functional equivalent to the signal SW whose logic state is used to indicate the power state of the computer (col. 5 lines 25-29). Wang is however silent on teaching noting a power fluctuation and if the password is not verified the system is shut down. The noting of the power fluctuation is evidenced by Shimura et al. (col. 16 lines 36-41) in order to avoid the error of associating a fluctuation in power with a loss of power. Miller et al. in an art related access control system teaches shutting down a system when the password is not verified after entering a password for a predetermined number of times (col. 9 lines 24-32) in order to secure the system from an unauthorized person.

It would have been obvious to one of ordinary skill in the art to shut down the system if the password is not verified in Wang as evidenced by Shimura et al. in view of Miller et al. because Wang teaches a computer that remains in the power down state until the password is verified and Shimura et al. in view of Miller et al. teaches monitoring the power fluctuation and

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shutting down a system by ending the user interaction with the system when the password is entered incorrectly for a predetermined number of times.

Regarding claims 14-15, Wang teaches the computer uses AC and DC power (col. 1 lines 20-25).

Regarding claim 23, Wang teaches detecting the password in the form of detecting the predetermined sequence of the buttons pushed on the mouse (col. 4 lines 5-12). Detecting the password in the form of detecting the predetermined sequence of the buttons pushed on the mouse is considered a programmed feature (col. 1 lines 54-56) and it remained programmed after the loss of power (col. 4 lines 13-16).

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wang US Patent 6298447 in view of Shimura et al. US Patent 6295569 in view of Miller et al. US Patent 5550968 and further in view of Lent US Patent 4284983.

Regarding claim 19, Wang in view of Shimura et al. in view of Miller et al. teaches detecting when the power to a device is turned off (col. 4 lines 13-18) but is silent on teaching a motion detector for detecting the movement of a device and setting the disconnect register. Lent in an art related appliance theft detection circuitry teaches a motion detector for detecting when a device is moved and also having monitoring means for detecting when the device is not connected to the power supply (col. 5 lines 35-46) in order to protect the appliance from theft and unauthorized movement.

It would have been obvious to one of ordinary skill in the art to have a motion detector for detecting the movement of a device and setting the disconnect register in Wang in view of

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Shimura et al. in view of Miller et al. as evidenced by Lent because Wang in view of Shimura et al. in view of Miller et al. suggests detecting when the power to a device is turned off and Lent teaches a motion detector for detecting when a device is moved and also having monitoring means for detecting when the device is not connected to the power supply in order to protect the appliance from theft and unauthorized movement.

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wang US Patent 6298447 in view of Shimura et al. US Patent 6295569 in view of Miller et al. US Patent 5550968 and further in view of Reid US Patent 4987406.

Regarding claim 20, Wang in view of Shimura et al. in view of Miller et al. teaches detecting when the power to a device is turned off but is silent on teaching the system is shut down when the alarm is activated. Reid in an art related security system for an appliance teaches an appliance is shut down and becomes inoperable when an alarm is activated for indicating that an appliance is moved (col. 2 lines 29-34) in order to protect the device from theft.

It would have been obvious to one of ordinary skill in the art to shut the system down when the alarm is activated in Wang in view of Shimura et al. in view of Miller et al. in view of Lent as evidenced by Reid because Wang in view of Miller et al. in view of Lent suggests detecting when the device is move and the alarm is activated and Reid teaches an appliance is shut down and becomes inoperable when an alarm is activated for indicating that an appliance is moved in order to protect the device from theft.

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Claim 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang US Patent 6298447 in view of Shimura et al. US Patent 6295569 in view of Miller et al. US Patent 5550968 in view of Reid US Patent 4987406 and further in view of Owens US Patent 6523374.

Regarding claims 21-22, Wang in view of Shimura et al in view of Miller et al. in view Reid teaches a security system for monitoring a device (see response to claim 9) but is silent on teaching the device monitoring system is connected to the household alarm system. Owens in an art related safety device invention teaches a security system for monitoring a device connected to the household alarm system (col. 4 lines 7-11) in order to provide alarm indication to a remote location such as a police station. The use of separation between transceivers to generate an alarm signal is also indicated by Reid (col. 2 lines 14-34) in order to detect when a monitored device is moved out of a particular zone.

It would have been obvious to one of ordinary skill in the art for the device monitoring system to be connected to the home security system in Wang in view of Shimura et al in view of Miller et al. in view Reid as evidenced by Owens because Wang in view of Miller et al. in view of Lent in view Reid suggests security system for monitoring a device and Owens teaches a security system for monitoring a device connected to the household alarm system in order to provide alarm indication to a remote location such as a police station.

Claims 24-25, 27 are rejected under 35 U.S.C. 103(a) as being unpatentable Oh US Patent over 5231310 in view of in view of Miller et al. US Patent 5550968.

Regarding claim 24, Oh teaches activating a time based, password protected electronic device comprising:

Programming the control system to accept password (col. 6 lines 9-12);

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activating the electronic device commencing normal start up (col. 6 lines 17-18);
showing a password reentry indicator requesting password reentry (col. 6 lines 15-17);
placing the device in an override mode by setting toggle switch 50-55 (col. 6 lines 46-50);

indicating the electronic device will deactivate with the preprogrammed period of time (col. 8 lines 15-20). Oh further teaches entering a password , checking the password and activate the electronic device if the password is accepted (col. 5 line 61 –col. 6 line 12) and also teaches requesting re-entry of the password if the password is not accepted (col. 6 lines 15-17). Oh further teaches returning to the override mode by checking the toggle switch in step 550 of figure 5B. Oh is however silent on teaching if the password is not entered in a preprogrammed number of times the device is deactivated. Miller et al. in an art related access control system teaches shutting down a system when the password is not verified after entering a password for a predetermined number of times (col. 9 lines 24-32) in order to secure the system from an unauthorized person.

It would have been obvious to one of ordinary skill in the art to shut down the system if the password is not verified in Wang as evidenced by Miller et al. because Wang teaches a computer that remains in the power down state until the password is verified and Miller et al. shutting down a system by ending the user interaction with the system when the password is entered incorrectly for a predetermined number of times.

Regarding claim 25, Oh teaches a visible display (col. 8 lines 15-20).

Regarding claim 27, Oh teaches the period of time is user programmable (col. 6 lines 46-50).

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Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oh US Patent 5231310 in view of in view of Miller et al. US Patent 5550968 and further in view of Edwall US Patent 4363485.

Regarding claim 26, Oh in view of Miller et al. teaches a visual indicator (col. 8 lines 15-20) but is silent on teaching an audio indicator. Edwall in an art related time based machine invention teaches the use of an audio indicator to indicate the amount of time remaining in a game (col. 2 lines 1-4) in order to allow the user to be prepared for the approaching end of a game.

It would have been obvious to one of ordinary skill in the art to provide an audio indicator for indicating the time in which the device will deactivate in Oh in view of Miller et al. as evidenced by Edwall because Oh in view of Miller et al. suggests providing a indicator for indicating when a device will deactivate and Edwall teaches the use of an audio indicator to indicate the amount of time remaining in a game in order to allow the user to be prepared for the approaching end of a game.

Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Casement et al. US Patent 5969748 in view of Addy US Patent 6288639.

Regarding claim 29, Casement et al. teaches the communication means is hard wired (col. 3 lines 1-2) but is silent on teaching the communication means is wireless. One skilled in the art recognizes that wireless is an alternative to wired communication means as evidenced by Addy (col. 4 lines 54-56)

It would have been obvious to one of ordinary skill in the art to have wireless communication means in Casement et al. as evidenced by Addy because Casement et al. suggests

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the communication means is hard wired and one skilled in the art recognizes that wireless is an alternative to wired communication means as evidenced by Addy.

Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Casement et al. US Patent 5969748 in view of Grawrock et al. US Patent 6339828.

Regarding claim 33, Casement et al. teaches the use of a password to access the device (col. 3 lines 3 lines 40-43) but is silent on teaching the use of a default password. Grawrock et al. in an art related password controlled access system teaches the use of a default password that enables a new password to be obtained (col. 15 lines 47-55), the default password is used for providing the initial access..

It would have been obvious to one of ordinary skill in the art to have a default password in Casement et al. as evidenced by Grawrock et al. because Casement et al. suggests the use of a password to access the device and Grawrock et al. teaches a default password for facilitating the initial access.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vernal U. Brown whose telephone number is 571-272-3060. The examiner can normally be reached on 8:30-7:00 Monday-Thursday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on 571-272-3068. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Vernal Brown
August 17, 2005

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